

04-30-07

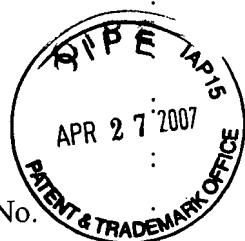
SFW

Express Mail Label No.: EV 594653991 US
Date of Deposit: April 27, 2007

Attorney Docket No. 25452-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/658,978 Confirmation No. 3973
Applicants : David G. Therrien, *et al.* TC/A.U. : 2165
Filed : September 10, 2003
Examiner : Mofiz, Apu M.
Customer No. : 35437
Title : METHOD AND APPARATUS FOR STORAGE SYSTEM TO
PROVIDE DISTRIBUTED DATA STORAGE AND PROTECTION



MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following papers:

1. Supplemental Information Disclosure Statement (2 pgs.);
2. Modified Form PTO-1449 (duplicate); and
3. Returned Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. Reference No. 25452-014, Customer No. 35437.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Boris A. Matvenko". It is written in a cursive, flowing script.

Boris A. Matvenko, Reg. No. 48,165
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
Chrysler Center, 666 Third Avenue, 24th Floor
New York, New York 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

Dated: April 27, 2007



Express Mail Label No.: EV 59465591 US
Date of Deposit: April 27, 2007

Attorney Docket No. 25452-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/658,978 Confirmation No. 3973
Applicants : David G. Therrien, *et al.* TC/A.U. : 2165
Filed : September 10, 2003
Examiner : Mofiz, Apu M.
Customer No. : 35437
Title : METHOD AND APPARATUS FOR STORAGE SYSTEM TO
PROVIDE DISTRIBUTED DATA STORAGE AND
PROTECTION

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the enclosed modified Form PTO-1449 (submitted in duplicate) in the above-identified application which were cited in a European Search Report, mailing date April 3, 2007, from a corresponding European patent application No. 03770299.0. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Supplemental Information Disclosure Statement is being filed within three months of the date the communication has been received. Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of the cited U.S. publication (listed on the attached PTO-1449 form) has not been included since the requirement under 37 CFR § 1.98(a)(2)(i) has been waived by the Office. A

Express Mail Label No.: EV 594653991 US
Date of Deposit: April 27, 2007

Attorney Docket No. 25452-014

copy of the cited non-patent literature document is enclosed. It is respectfully requested that the Examiner consider the cited information in view of the presently allowed claims and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **25452-014**, Customer No. **35437**.

Respectfully submitted,



Boris A. Matvenko, Reg. No. 48,165
Attorney for Applicant
MINTZ, LEVIN, COHN FERRIS,
GLOVSKY AND POPEO, P.C.
The Chrysler Center
666 Third Avenue, 24th Floor
New York, New York 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

Please type a plus sign (+) in this box



Modified Form 1449/PTO		Application Number	11/658,978
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	September 10, 2003
		First Named Inventor	David G. Therrien, et al.
		Group Art Unit / Conf. No.	2161 / 3973
		Examiner Name	Mofiz, Apu M.
		Attorney Docket Number	25452-014

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	B2	2002/073354 A1	06/13/2002	Schroiff, et al.	714	4	June 15, 2001

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C5	Veritas Software Corporation, "VERITAS Volume Manager, Administrator's Reference Guide Release 3.0.1," May 1999.
	C6	April 3, 2007, Supplementary European Search Report (Communication).

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Disclosure Form (PTO-1449)